THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.14940 of 2007

Between:

Racharla Gangadhar and others.

.. PETITIONERS

and

The District Collector and others.

.. RESPONDENTS

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WRIT PETITION No.14940 of 2007

ORDER:

It is stated that the land admeasuring Ac.01-08 gts. was assigned in favour of one Goondla Chinna Gangaram, S/o.Ashanna; Ac.01-07 gts. in favour of Dharmajipeta Ganga, W/o.Gangaram and Ac.01-07 gts. in favour of Narsa Goud, S/o.Ganga Goud in Sy.No.480, situated at Thorthi Village, Morthad Mandal, Nizamabad District. As the said assignees without cultivating said lands sold the same to one Bojja Gangadhar in contravention of Section 3 of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977, the 3rd respondent cancelled the assignment made in favour of the said assignees vide his proceedings No.D/285/07, dated 14-08-1987. Aggrieved by the said order, one Goondla Chinna Gangaram and one Mothkur Narsa Goud filed an appeal under Section 4-A (1) of the Act before the 2nd respondent and the said appeal has been dismissed through order, dated 20-10-2005 in Case No.A2/2882/2005. In the said order, it was observed that the lands in question were resumed to the Government custody on 27-06-2005 and found that petitioners 1 to 3 raised maize crop in the said lands.

It is the case of the petitioners that they are not the purchasers but they occupied the said lands and they are landless poor and, therefore, they are entitled for assignment of the said lands. Accordingly, they filed representation, dated 29-11-2006, before the 3rd respondent seeking assignment of the said lands in their favour on the ground that they are landless poor.

I am not inclined to express any opinion as to whether the petitioners are landless poor or not. But, however, it is brought to the notice of this Court that in similar facts and circumstances of the case, this Court disposed of

W.P.No.26104 of 2000, on 06-04-2006, stating that the Authorities shall consider the applications of the petitioners therein for assignment of the land, if they are landless poor persons and are eligible for such assignment.

Following the above judgment, this writ petition is disposed of directing the 3rd respondent to consider and dispose of the application of the petitioners for assignment of the land, if they are landless poor persons and are eligible for such assignment, as expeditiously as possible, without any undue delay. There shall be no order as to costs.

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21-09-2007

Note:
Issue C.C. in one week

(B/o)

Prv